

# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## Electronic Submission

Application Number	10/015,167
Filing Date	December 11, 2001
First Named Inventor	Usuka <i>et al.</i>
Group Art Unit	1631
Examiner Name	Eric S. DeJong
Attorney Docket No.	9080-016-999

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 C.F.R. § 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCE's (not to be submitted to the USPTO) on page 2.

### 1. Submission required under 37 C.F.R. § 1.114

Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☒ Previously submitted:
- i. ☒ Applicants request non-entry of the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on November 6, 2008
  - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed \_\_\_\_\_
  - iii. ☒ Other: Notice of Appeal filed December 8, 2008 (the Monday following December 6, 2008) with Petition for Extension of Time.
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
  - ii. ☐ Affidavit(s)/Declaration(s)
  - iii. ☐ Information Disclosure Statement (IDS)
  - iv. ☐ Other \_\_\_\_\_

### 2. Miscellaneous

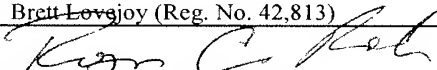
- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months.  
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(f) required)
- b. ☐ Other \_\_\_\_\_

### 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Jones Day Deposit Account No. 50-3013:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e.), estimated to be \$810.00 (order no. 800935-999015)
  - ii. ☐ Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, the request for which is being made herewith.
  - iii. ☐ Other \_\_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Roger C. Rich For: Brett Lovejoy (Reg. No. 42,813)	Registration No	54,398
Signature		Date	February 6, 2009

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or by facsimile transmitted to fax no. 1-703- to the U.S. Patent and Trademark Office on the date indicated below.

Name (Print/Type)		Registration No	
Signature		Date	

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application for to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents P.O. Box 1450, Alexandria, VA 22313-1450.